

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD M. OSBORNE SR., et al.,

Defendants.

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Civil Action No. 1:11-cv-2039

Judge Boyko

**JOINT MOTION TO VACATE TRIAL DATE**

On August 10, 2018, Plaintiff United States of America lodged a proposed Consent Decree with this Court. (Dkt. No. 170). On September 3, 2018, the Bankruptcy Trustee for Great Plains moved the United States Bankruptcy Court for the Western District of Pennsylvania to allow the Trustee to agree to the entry of the Consent Decree. The Bankruptcy Court hearing for approval of the Consent Decree is scheduled to be held on September 27, 2018. Separately, the United States has published notice of the proposed Consent Decree for public comment in the Federal Register. The comment period will close on October 1, 2018. If entered by this Court, following approval by the Bankruptcy Trustee and the close of the public comment period, the Consent Decree would resolve all claims in this case. Accordingly, the Parties jointly ask this Court to vacate the trial date of October 22, 2018, set forth in its February 5, 2018 Order (Dkt. No. 166), along with all other trial-related deadlines contained therein.

September 11, 2018

Respectfully submitted,

JEFFREY H. WOOD  
Acting Assistant Attorney General  
Environment and Natural Resources  
Division

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the JOINT MOTION TO VACATE TRIAL DATE was filed electronically on September 11, 2018, via the Court's CM/ECF system, which sends a Notice of Electronic Filing to counsel of record.

/s/ Phillip R. Dupré

Phillip R. Dupré